

Appl. No. 10/664,560
Docket No. 9364
Amdt. Dated February 25, 2008
Reply to Office Action mailed on December 14, 2007
Customer No. 27752

REMARKS

Claim Status

Claim 1 has been amended to define the claimed invention with greater specificity by reciting that the ply bond strength of the consumer accessible tab is greater than the ply bond strength throughout the remainder of the multi-ply fibrous structure. Support for this amendment is found throughout the Specification, especially at page 8, lines 4-5.

Claims 1-4, 10-12 and 14-15 are pending in the present application. No additional claims fee is believed to be due.

It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Rejection Under 35 USC §102(b) Over U.S. Pat. Nos. 3,960,272 and 3,912,571

Claims 1-4, 10-12 and 14-15 have been rejected by the Examiner under 35 USC §102(b) as allegedly being anticipated by U.S. Pat. Nos. 3,960,272 and 3,912,571 both to Hartbauer et al. (hereinafter referred to as "Hartbauer"). The Examiner asserts that Hartbauer teaches a multi-ply product of the type contemplated by Applicants. The Examiner asserts that Hartbauer teaches a multi-ply fibrous structure having a consumer accessible tab, which is created by folding the tail end of the multi-ply fibrous structure back upon itself as shown in Figs. 11-15.

Applicants respectfully submit that Hartbauer fails to teach each and every element of Claim 1, the independent claim, as amended, because Hartbauer fails to teach a multi-ply product that comprises a consumer accessible tab that exhibits a ply bond strength greater than the ply bond strength throughout the remainder of the multi-ply fibrous structure forming the multi-ply product. Applicants submit that Hartbauer does not teach a consumer accessible tab as claimed in Claim 1, as amended. Applicants submit that once a consumer of Hartbauer's roll detaches the folded portion from the roll, such as is shown in Fig. 14 of Hartbauer, there is nothing in Hartbauer that would prevent

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one ply of the tail end from detaching from the other ply of the tail end thus creating the problem that the claimed invention as claimed in Claim 1, as amended, is solving. Accordingly, Applicants submit that Claim 1, as amended, is not anticipated by Hartbauer. Further, Applicants submit that Claims 2-4, 10-12 and 14-15, which ultimately depend from Claim 1, as amended, are not anticipated by Hartbauer for the same reasons that Claim 1, as amended, is not anticipated by Hartbauer.

Rejection Under 35 USC §103(a) Over Hartbauer in view of U.S. Patent No. 6,924,042

Claims 1-4, 10-12 and 14-15 are rejected by the Examiner under 35 USC §103(a) as allegedly defining obvious subject matter over Hartbauer, discussed above, in view of U.S. Patent No. 6,924,042 to Von Paleske (“Von Paleske”). The Examiner recognizes that Hartbauer fails to teach that its plies are ply bonded together. To overcome the deficiencies of Hartbauer, the Examiner combines the teachings of Von Paleske, which the Examiner asserts teaches bonding at least two plies together to form a multi-ply product, with the teachings of Hartbauer. The Examiner concludes that it would have been obvious to one of ordinary skill in the art at the time the invention was made to use as the multi-ply fibrous product of Hartbauer, a multi-ply fibrous product of the type taught by Von Paleske and as is known in this art.

Applicants respectfully submit that Hartbauer and Von Paleske, alone or in combination, fail to teach each and every element of Claim 1, the independent claim, as amended, because Hartbauer and Von Paleske fail to teach a multi-ply product that comprises a consumer accessible tab that exhibits a ply bond strength greater than the ply bond strength throughout the remainder of the multi-ply fibrous structure forming the multi-ply product. Accordingly, Applicants submit that Claim 1, as amended, is not rendered obvious over Hartbauer in view of Von Paleske. MPEP 2143.03. Further, Applicants submit that Claims 2-4, 10-12 and 14-15, which ultimately depend from Claim 1, as amended, are not rendered obvious over Hartbauer in view of Von Paleske for the same reasons that Claim 1, as amended, is not rendered obvious over Hartbauer in view of Von Paleske. MPEP 2143.03.

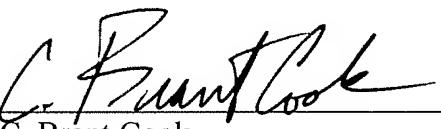
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Conclusion

This response represents an earnest effort to place the present application in proper form and to distinguish the invention as claimed from the applied reference(s). In view of the foregoing, entry of the amendment(s) presented herein, reconsideration of this application, and allowance of the pending claim(s) are respectfully requested.

Respectfully submitted,

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